

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JULIE PIRO and MICHAEL HALL,
individually and on behalf of all others
similarly situated,

vs.

Case No. 1:15-cv-11834-DJC

EXERGEN CORPORATION,

Defendant.

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiffs Julie Piro and Michael Hall and Defendant Exergen Corporation hereby submit this Joint Stipulation of Dismissal. Plaintiffs request dismissal of this Action, in its entirety, with prejudice as to their individual claims, and without prejudice as to the claims of the putative class members. The parties are to bear their own costs and attorneys' fees. All parties waive all rights of appeal.

Dated: March 8, 2017

Respectfully submitted,

JULIE PIRO and
MICHAEL HALL

EXERGEN CORPORATION

By their attorneys:

By its attorneys:

/s/Erica Mirabella
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/s/Kerry Timbers
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”) on March 8, 2017.

/s/ Erica Mirabella
Erica Mirabella